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LAW OF THE SEA

Letter dated 9 September 1992 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit to you herewith the full text of a note dated 3 September 1992 from the Ministry of Foreign Affairs of the Socialist Republic of Viet Nam to the Ministry of Foreign Affairs of the People's Republic of China concerning the activities of a Chinese oil-drilling ship in a sea area under Vietnamese sovereignty in the Tonkin Gulf (see annex).

I should be very grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly under item 32 of the provisional agenda.

(Signed) TRINH XUAN LANG
Ambassador Extraordinary and
Plenipotentiary
Permanent Representative

* A/47/150.

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ANNEX

Note dated 3 September 1992 from the Ministry of Foreign Affairs of Viet Nam to the Ministry of Foreign Affairs of China

The Ministry of Foreign Affairs of the Socialist Republic of Viet Nam presents its compliments to the Ministry of Foreign Affairs of the People's Republic of China and has the honour to bring the following matter to the latter's notice:

According to the information available to Viet Nam, on two consecutive days, 1 and 2 September 1992, the radio stations of Hainan and Zhanjiang ports repeatedly broadcast announcements to the effect that at 1500 hours on 31 August 1992, the Chinese oil-drilling ship Nanhai-6 left its position 42 miles south-east of Zhanjiang for a new position at latitude 19°17' N and longitude 107°16' E to carry out oil drilling from 2400 hours on 3 September 1992 until 4 March 1993. The announcement also forbade vessels to come within a 1,000-metre radius of the oil-drilling ship.

This took place after the announcement made by Zhanjiang port radio station that the Chinese surveying ship Fendou-5 would carry out seismic surveys from 19 to 30 August 1992 in the following coordinates:

(a) Latitude 18°45' N and longitude 107°40' E;

(b) Latitude 18°45' N and longitude 107°50' E;

(c) Latitude 18° N and longitude 107°40' E.

The announcement also said that vessels were not allowed to enter a 1,500-metre-radius area around the surveying ship.

The Vietnamese side is deeply concerned at the above information as these activities are carried out in a sea area under Viet Nam's sovereignty; in particular, the point where the oil-drilling ship Nanhai-6 plans to carry out its activities is only 70 miles from Ba Lat estuary, the closest point on the Vietnamese coast. This area also lies on the national and international sea routes for the ports of Hai Phong and Quang Ninh. Furthermore, as long ago as 18 January 1974, the Chinese side sent a note to the Vietnamese side proposing that, pending a demarcation of territorial seas between the two countries, the two sides temporarily suspend exploration activities in the area of longitude 107° to 108° and latitude 18° to 20°. Following the oil-exploration and exploitation agreement between the Ocean Oil and Gas Company of China and the Crestone Energy Corporation of the United States of America on Tu Chinh reef, located in Viet Nam's southern continental shelf, the above-listed activities run counter to the agreement reached at the highest level between the two countries that, pending a settlement of disputes, neither side should do anything to aggravate the situation. Moreover, the two sides have also

reached a high-level agreement to open negotiations soon on problems relating to the border on land, in the Tonkin Gulf and in the Eastern Sea. The above-mentioned activities do not help create an atmosphere favourable to the forthcoming negotiations.

The Government of the Socialist Republic of Viet Nam proposes that the Government of the People's Republic of China instruct the Chinese branches and localities concerned immediately to stop implementing the set plan and refrain from similar activities in the future. The Government of the Socialist Republic of Viet Nam hopes that, for the sake of global interests and to facilitate the forthcoming negotiations, the Chinese Government will respond to Viet Nam's proposal.